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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,160	04/30/2001	Mark R. Fichtner	42390.P5539C	5404

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EXAMINER

HERNANDEZ, NELSON D

ART UNIT PAPER NUMBER

2612

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/846,160

Applicant(s)

FICHTNER, MARK R.

Examiner

Nelson D. Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 11 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 15-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Specification*

1. Examiner acknowledges the amendments made on the specifications received on June 11, 2001.
2. Amendments to claims received on June 11, 2001 are acknowledged. Claims 1-14 have been cancelled and claims 15-18 have been added.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims **15-18** are rejected under 35 U.S.C. 102(e) as being anticipated by Yamagishi, US Patent 6,630,949 B1.

Regarding claim **15**, Yamagishi discloses a method for transferring image information between an imaging device (Fig. 1A: 200) and a host system (Fig. 1B: 300), said method comprising: the host system detecting a coupling of the imaging device to the host system; in response to detecting the coupling (Fig. 1B: 82), said host system automatically requesting image information transfer from the imaging device; and in response to the request, said image information is transferred from the imaging device

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to the host system (Col. 4, lines 30-50; col. 5, lines 47-55; col. 7, line 8 – col. 8, line 9; col. 18, line 63 – col. 19, line 35; col. 19, line 58 – col. 20, line 6; col. 20, lines 20-24).

Regarding claim **16**, Yamagishi discloses that the host system detects the coupling of the image device if the imaging device is connected to a port of the host system (Col. 4, lines 30-50; col. 5, lines 47-55).

Regarding claim **17**, Yamagishi discloses a system (Fig. 1B: 300) to receive image information from an imaging device (Fig. 1A: 200) comprising: a processor (See fig. 1B); an input port (Fig. 1B: 72); and a detection circuit (Fig. 1B: 82), said detection circuit detecting the coupling of the imaging device to the input port, and wherein said processor automatically requesting the image information to be transferred from the imaging device in response to detecting the coupling of the image device to the input port by the detection circuit (Col. 4, lines 30-50; col. 5, lines 47-55; col. 7, line 8 – col. 8, line 9; col. 18, line 63 – col. 19, line 35; col. 19, line 58 – col. 20, line 6; col. 20, lines 20-24).

Regarding claim **18**, Yamagishi discloses a computer readable medium comprising instructions, which when executed by a processing system to perform an operation of transferring image information between a host system (Fig. 1B: 300) and an imaging device (Fig. 1A: 200), the operation comprising: the host system detecting a coupling of the imaging device to the host system; in response to detecting the coupling, said host system automatically requesting image information from the imaging device; and in response to the request, said image information is received from the imaging device to the host system (Col. 4, lines 30-50; col. 5, lines 47-55; col. 7, line 8 – col. 8,

line 9; col. 18, line 63 – col. 19, line 35; col. 19, line 58 – col. 20, line 6; col. 20, lines 20-24).

**Contact**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (703) 305-8717. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez  
Examiner  
Art Unit 2612

NDHH  
November 30, 2004

  
AUNG MOE  
PRIMARY EXAMINER